

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**GREG KELLER**

**CIVIL DOCKET NO. 2:23-CV-00737**

**VERSUS**

**JUDGE DAVID C. JOSEPH**

**PROTECTIVE INSURANCE  
COMPANY, ET AL**

**MAGISTRATE JUDGE THOMAS P.  
LEBLANC**

**JUDGMENT**

Before the court is a REPORT AND RECOMMENDATION [Doc. 18] of the Magistrate Judge, recommending that the MOTION TO REMAND [Doc. 10] filed by plaintiff, Greg Keller be GRANTED. The REPORT AND RECOMMENDATION of the Magistrate Judge having been considered, together with the Objections to Report and Recommendations [Doc.19], and after a *de novo* review of the record, finding that the Magistrate Judge's REPORT AND RECOMMENDATION is correct,

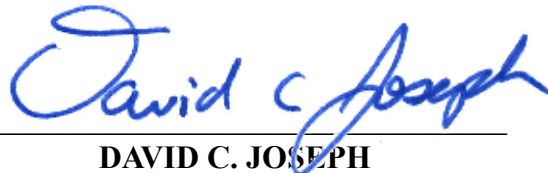
IT IS ORDERED that Plaintiff's MOTION TO REMAND is GRANTED, and that the above-captioned action be, and hereby is, **REMANDED** to the state court from which it was removed.

In the MOTION TO REMAND, Plaintiff requested that the court award the "just costs and any actual expenses, including attorney fees, incurred as a result of the removal" in accordance with 28 U.S.C. § 1447(c), and the REPORT AND RECOMMENDATION of the Magistrate Judge recommends that such costs, expenses, and fees be awarded. Plaintiff shall file a formal motion seeking that relief, supported by a detailed itemization providing the court the information, in verified form, the

court will need to evaluate necessity and reasonableness of whatever fees and costs plaintiff seeks to recover and facts justifying the relief. Accordingly,

**IT IS FURTHER ORDERED** that Plaintiff shall file such motion for costs, expenses, and fees under 28 U.S.C. § 1447(c) by September 19, 2024. If Defendants wish to oppose that relief, they must file their response in opposition by September 26, 2024. The court will retain jurisdiction over the collateral matter of the award of attorneys' fees after this matter has been remanded. *Feria v. Winn-Dixie Montgomery, L.L.C.*, 753 F. App'x 323, 324 (5th Cir. 2019).

THUS DONE AND SIGNED in Chambers on the 12<sup>th</sup> day of September, 2024.



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**DAVID C. JOSEPH**  
**UNITED STATES DISTRICT JUDGE**